

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS §  
COUNTY OF HILL § KNOW ALL MEN BY THESE PRESENTS:  
§

**Note:** Sale Contract dated January 20, 1998 executed and delivered by Rochelle G. Rogers and Earnest W. Rogers to Mid-State Trust II and Jim Walter Homes, Inc.

**Security Instrument:** Purchase Money Deed of Trust, dated January 20, 1998, executed and delivered by Rochelle G. Rogers and Earnest W. Rogers to Mid-State Trust II and Jim Walter Homes, Inc., to secure payment of that certain Sale Contract, recorded on January 20, 1998, as Document Number 001168, in Volume 962, Page 477, in Hill County, Texas.

**Order Authorizing Sale:** Order Authorizing Sale dated June 7, 2016, in Cause No. 14,282; *In Re: The Estate of Rochelle G. Rogers*, in the County Court at Law of Hill County, Texas

**Original Creditor:** Mid-State Trust II and Jim Walter Homes, Inc.

**Current Owner and Holder:** U.S. Bank, N.A., as trustee for Mid-State Trust IV by Ditech Financial LLC, as servicer with delegated authority

**Loan Servicer:** Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 7360 S Kyrene Rd, Mailstop T325, Tempe, AZ 85283, by virtue of a loan servicing agreement

**Appointed Substitute Trustees:** JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, KAM COOK, DAVID TEEL  
9065 Jollyville, Suite 203A, Austin, TX 78759

*Note: Each substitute trustee is authorized individually, to act alone*  
AND

PROPERTY ADDRESS: 421 Park Dr. Hillsboro, TX 76645	RP FILE NO. GTSL02-651	BORROWER: Rogers, Rochelle G. & Earnest W.
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FILED  
NICOLE TANNER, COUNTY CLERK  
HILL COUNTY, TEXAS  
2016 JUL 14 A 8:06

*without the joinder of the other trustees.*

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD,  
5420 LBJ Freeway, Suite 220, Dallas, TX 75225

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash.

**Property to be sold:** 421 Park Dr., Hillsboro, TX 76645, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

**Date of Sale:** Tuesday, August 2, 2016.

**Time of Sale:** The sale will begin no earlier than 1:00 PM and no later than three (3) hours thereafter.

**Location of Sale:** At the County Courthouse in Hill County, Texas, on the steps outside the East door of the courthouse or the interior of the courthouse near the East door in case of inclement weather, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Hill County. If such a designation by the Commissioner's Court has been made and recorded after the date hereof and prior to the time of the sale, then the Substitute Trustee will sell the Premises at the area designated by the Commissioner's Court of Hill County, Texas.

**Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Purchase Money Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Purchase Money Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

<b>PROPERTY ADDRESS:</b> 421 Park Dr. Hillsboro, TX 76645	<b>RP FILE NO. GTSL02-651</b>	<b>BORROWER:</b> Rogers, Rochelle G. & Earnest W.
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Pursuant to the Security Instrument, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Purchase Money Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

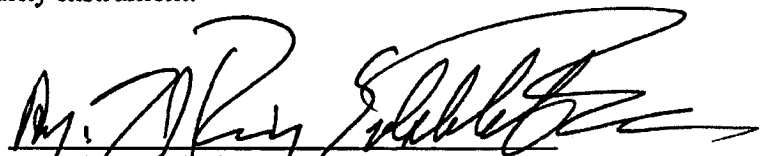
**Type of Sale:**

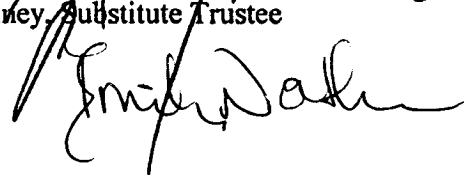
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Rochelle G. Rogers and Earnest W. Rogers.

**Default and Notice:**

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Rochelle G. Rogers and Earnest W. Rogers and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: June 29, 2016.

  
T.J. Riney, Substitute Trustee



**AFTER RECORDING, PLEASE RETURN TO:**

Riney Packard, PLLC  
Attn: T.J. Riney  
Two Lincoln Centre  
5420 LBJ Freeway, Suite 220  
Dallas, Texas 75240

<b>PROPERTY ADDRESS:</b> 421 Park Dr. Hillsboro, TX 76645	<b>RP FILE NO. GTSL02-651</b>	<b>BORROWER: Rogers, Rochelle G. &amp; Earnest W.</b>
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Rogers, Rochelle G. & Earnest W.

**EXHIBIT "A"**

All those certain lots, tracts, or parcels of land lying and situated in the City of Hillsboro, Hill County, Texas, and being parts of Lot No. 10 $\frac{1}{2}$ , Craig Addition and Lot No. 6, Sweeney Addition, all in the City of Hillsboro, Hill County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a steel pin set in the North line of Park Drive (50 feet wide) which bears East a distance of 48 $\frac{1}{2}$  feet along said line from its intersection with the East line of Abbott Street (50 feet wide);

**THENCE** North 00 deg. 16 min. 40 sec. West, a distance of 160 feet to a steel pin set for corner in a chain link fence 1.3 feet East of a fence corner;

**THENCE** East along said fence a distance of 70 feet to a steel pin found for corner;

**THENCE** South 00 deg. 16 min. 40 sec. East along an old tree line a distance of 160 feet to a steel pin set for corner in the North line of said Park Drive;

**THENCE** West along said line a distance of 70 feet to the **PLACE OF BEGINNING** and containing 0.257 acres of land, more or less.

<b>PROPERTY ADDRESS:</b> 421 Park Dr. Hillsboro, TX 76645	<b>RP FILE NO. GTSL02-651</b>	<b>BORROWER:</b> Rogers, Rochelle G. & Earnest W.
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CAUSE NO. 14,282

IN RE: THE ESTATE OF ROCHELLE § IN THE COUNTY COURT AT LAW  
G. ROGERS §  
DECEASED § HILL COUNTY, TEXAS

ORDER AUTHORIZING SALE

On this day the Court considered the Motion of Petitioner Ditech Financial LLC FKA Green Tree Servicing LLC, ("Petitioner"), as Mortgage Servicer for U.S. Bank, N.A., as trustee for Mid-State Trust IV, a secured creditor, which seeks to foreclose lien securing the property located at 421 Park Dr., Hillsboro, TX 76645, and described more specifically as:

ALL those certain lots, tracts, or parcels of land lying and situated in the City of Hillsboro, Hill County, Texas, and being parts of Lot No. 104, Craig Addition and Lot No. 6, Sweeney Addition, all in the City of Hillsboro, Hill County, Texas, and being more particularly described by notes and bounds as follows:  
BEGINNING at a steel pin set in the North line of Park Drive (50 feet wide) which bears East a distance of 484 feet along said line from its intersection with the East line of Abbott Street (50 feet wide);  
THENCE North 00 deg. 16 min. 40 sec. West, a distance of 160 feet to a steel pin set for corner in a chain link fence 1.3 feet East of a fence corner;  
THENCE East along said fence a distance of 70 feet to a steel pin found for corner;  
THENCE South 00 deg. 16 min. 40 sec. East along an old tree line a distance of 160 feet to a steel pin set for corner in the North line of said Park Drive;  
THENCE West along said line a distance of 70 feet to the PLACE OF BEGINNING and containing 0.257 acres of land, more or less.

The Court, after reviewing and considering the documents filed here, taking judicial notice of the contents of the Court's file, and the arguments of counsel, makes the following findings:

1. On February 11, 2016, the Court approved the Claim of Petitioner, Ditech Financial LLC FKA Green Tree Servicing LLC wherein Petition sought to have its claim treated as a Preferred Debt and Lien.
2. Petitioner filed a Motion to Foreclose Real Property seeking authorization to sell, pursuant to the terms of the Lien Contract and TEX. PROP. CODE

51.002, the property commonly known as 421 Park Dr., Hillsboro, TX

76645, and more particularly described as:

All these certain lots, tracts, or parcels of land lying and situated in the City of Hillsboro, Hill County, Texas, and being parts of Lot No. 704, Craig Addition and Lot No. 6, Sweeney Addition, all in the City of Hillsboro, Hill County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a steel pin set in the North line of Park Drive (50 foot wide) which bears East a distance of 484 feet along said line from its intersection with the East line of Abbott Street (50 foot wide);

THENCE North 00 deg. 16 min. 40 sec. West, a distance of 160 feet to a steel pin set for corner in a chain link fence 1.3 feet East of a fence corner;

THENCE East along said fence a distance of 70 feet to a steel pin found for corner;

THENCE South 00 deg. 16 min. 40 sec. East along an old tree line a distance of 160 feet to a steel pin set for corner in the North line of said Park Drive;

THENCE West along said line a distance of 70 feet to the PLACE OF BEGINNING and containing 0.257 acres of land, more or less.

It is therefore ORDERED, ADJUDGED, and DECREED that , in accordance with TEX. EST. CODE §§ 356.401-356.403, TEX. PROP. CODE § 51.002, and the terms of the Lien Contract, Claimant may sell the property commonly known as 421 Park Dr., Hillsboro, TX 76645 and more particularly described above.

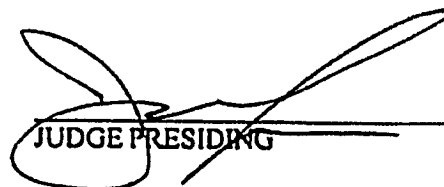
It is further ORDERED, ADJUDGED, and DECREED that, not later than the 30<sup>th</sup> day after the date of the sale under this order, Petitioner shall file with a Court a Report pursuant to TEX. EST. CODE § 356.551.

SIGNED on this the 7 day of JUNE, 2016.

FILED 10:00 AM

JUN 07 2016

Nicole Tanner  
CLERK COUNTY, HILL COUNTY TEXAS  
BY Christy King DEPUTY

  
JUDGE PRESIDING

ORDER AUTHORIZING SALE

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